

**CAMBRIAN SCHOOL DISTRICT**  
**Board Policy**

**Procedure 4020**  
Adopted: March 26, 2002  
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**PERSONNEL**

**Drug Free Workplace**

The following are the procedures for implementing Board Policy 4020 regarding the maintenance of a drug free workplace.

The District will provide a drug free workplace by:

- I. Notifying employees upon hire in writing that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- II. Advising employees that the terms "workplace" or "work site" include all premises where the activities of the District are conducted.
- III. Informing employees that:
  - A. The use of drugs in the workplace not only may affect productivity and performance, but also may endanger the safety of the students, fellow employees or the drug abuser/user.
  - B. It is the policy of the District to maintain a drug free workplace.
  - C. Drug counseling and rehabilitation programs are available through public agencies.
  - D. Use of drugs in the workplace may result in termination.
- IV. Requiring that each employee engaged in the performance of a federal grant receive a copy of a statement stating that as a condition of employment under the grant, the employee will:
  - A. Abide by the terms of the statement.
  - B. Notify the employer of any criminal drug conviction (including a plea of nolo contendere) for a violation occurring in the workplace no later than five days after such conviction.

- V. Notifying the granting federal agency within ten days after receive notice under subparagraph 4. (b) from an employee or otherwise receiving actual notice of such conviction.
  
- VI. Taking one of the following actions within 30 days of receiving notice under subparagraph 4. (b), with respect to any employee who so convicted:
  - A. Taking appropriate personnel action against such an employ which may include termination, or
  
  - B. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state or local health, law enforcement or other appropriate agency.



## **NOTICE TO EMPLOYEES**

### **DRUG FREE WORKPIACE**

The Cambrian School District complies with the Federal Drug Free Workplace Act which states that it is a violation of Board Policy for any employee at the workplace to unlawfully manufacture, distribute, dispense, possess, or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other controlled substance, as defined in the Drug Free Workplace Act.

Use of drugs in the workplace not only may affect productivity and performance, but also may endanger the safety of the drug abuser, students, or fellow employees.

"Workplace" includes all premises where the activities of the District are conducted, including a school building or other school premises; any school owned or school approved vehicle used to transport students to and from a school-sponsored or school approved activity or function, such as a field trip or athletic event where students are under District jurisdiction.

An employee who uses drugs in the workplace may be referred for rehabilitation or may be dismissed. Pursuant to California Education Code 45123, The Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code Section 44011. If such conviction is reversed and the person acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited.

The District may employ a person convicted of a controlled substance offense only if it determines, from evidence presented, that the person has been rehabilitated for at least five years. Pursuant to Education Code 45123, The Board shall determine the type and manner of presentation of the evidence. The Board's determination as to whether or not the person has been rehabilitated is final.

An employee who is convicted (including a plea of nolo contendere) of a controlled substance violation occurring in the workplace must notify the District of such conviction within five days following the conviction or plea.

If you are an employee who is performing work funded by a federal grant, you are hereby notified that, as a condition of employment under the grant, you are required to abide by the terms of the District policy prohibiting the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance at a work site, and you are required to notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.